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6                   UNITED STATES DISTRICT COURT  
7                   WESTERN DISTRICT OF WASHINGTON  
8                   AT SEATTLE

9 JOHN E. BETTYS,

10                   Plaintiff,

Case No. C11-5630-JLR

11                   v.

12 CHARLIE WEND,

Defendant.

ORDER DISMISSING ACTION

13                   The Court, having reviewed the Report and Recommendation of James P. Donohue,  
14                   (the Plaintiff's Objections to the Report and Recommendation (Dkt. 51))  
United States Magistrate Judge, and the remaining record, does hereby find and ORDER:

15                   (1)     The Court adopts the Report and Recommendation.

16                   (2)     Defendant's motion for summary judgment (Dkt. No. 29) and defendant's motion  
17 to dismiss (Dkt. No. 35) are GRANTED.

18                   (3)     Plaintiff's amended complaint and this action are DISMISSED with prejudice.

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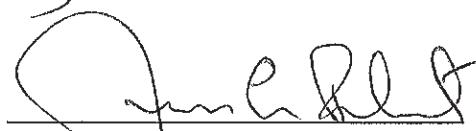
23 ORDER DISMISSING ACTION

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1                     (4)     The Clerk is directed to send copies of this Order to plaintiff, to counsel for  
2 defendant, and to the Honorable James P. Donohue.

3                     DATED this 26<sup>th</sup> day of July, 2012.

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JAMES L. ROBART  
United States District Judge